

March 5, 2010

Mr. and Mrs. Volker Steffen  
1900 Timber Ridge  
Marble Falls, Texas 78654

Texas Commission on Environmental Quality – Chief Clerk  
ATTN: Agenda Docket Clerk, Mail Code 105  
P.O. Box 13087  
Austin, Texas 78711-3087

TO: Chief Clerk of TCEQ  
RE: Docket No. 2009-1832-DIS, Internal Control No. 06242009-D01, Backbone Creek  
Municipal Utility District 1; Request for contested case hearing.

This letter will seek to prove that I, as landowner with two residential wells in walking distance of 5 minutes from Cactus Canyon Quarry, am justifiably and reasonably concerned that the pumping out of the quarry hole lake on Cactus Canyon Quarry property for off-site commercial sale will affect my domestic wells in either quality or quantity is foreseeable, thus giving me a justifiable interest in the proposed MUD application. This proposed MUD will not serve any existing residential or agricultural constituency. Indeed, the majority of the neighboring property owners are opposed to such an enterprise. The water well driller associated over 30 years with this area (having drilled approximately 40 of the surrounding wells has stated to Mr. Floyd that it is his belief that a commercial pumping of the open quarry hole on Cactus Canyon Quarries property, i.e. the applicant's proposed MUD, will most likely have adversely affect the levels of water in my 225 feet deep well

I am asking that the Commissioners require the Backbone Creek MUD applicant to undertake all the studies necessary to prove to my satisfaction that the water in my neighboring residential wells would be unaffected in quantity or quality by any such actions as pumping (selling) water to commercial off-site users BEFORE the Commissioners take any action on the MUD application.

I wish to hereby formally request a "Contested Case Hearing" concerning the proposed Backbone Creek Municipal Utility District referenced above by Docket and Internal Control Nos.

I feel that any less than thorough and impartial professional research would be irresponsible and put my family and my animals at serious risk. . I cannot consider an

Engineering study undertaken on behalf of, and paid for by the applicant, to be thorough and impartial research. I have not been made familiar with such a report cited as the report contained in Tab 5 of application, referred to as Engineer's TAC Ch.293B Narrative.

It must also be noted that applicant's reference to historical uses of his open quarry hole water include agricultural and mining support, and in fact, over the last fifty years relatively little water has been used. Does the applicant own all the privileges to the quarry hole?

I was told that for the last fifty years no quarrying has been done at Cactus Canyon because of the flooded quarry hole in question. Historically, there could virtually no neighboring wells, as most of the land was owned or leased by fairly large ranching concerns, with few residences. Since about 1980 the population density has increased dramatically with Timber Ridge Subdivision off of Co Rd 121, as well as new housing developments off of Co Rd 120. This historic situation would pose very little risk of adversely affecting neighboring wells, we believe that the large commercial water sales of a MUD to an off-site quarry operation will.

I only object to commercial, off-site sale of water –

Please honor my request regarding the formation of proposed Backbone Creek Municipal Utility District No. 1.

My contact information is: Mr. and Mrs. Volker Steffen, residing at 100 Big Oak Lane Road, Marble Falls, Texas 78654. My daytime telephone number is: (830) 693 4743

Sincerely,



Gabriele Steffen



Volker Steffen